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MEMO ENDORSED

W. M. Greenwald

July 12, 2017

Via ECF and First Class Mail

Hon. P. Kevin Castel  
United States District Court Judge  
South District of New York  
500 Water Street  
New York, NY

Re: **INT Sociedad Anomina, v. New Rise Brands Holdings, LLC, et al.**  
**Case No 17-cv-514 (PKC)**

Dear Judge Castel:

This office represents the Plaintiff in the referenced action. This answers the inquiry from the last pre-trial conference concerning the nationality of the Defendants' members and its impact on diversity jurisdiction.

The remaining Defendants attorneys provided us with information concerning the citizenship of the Defendants' members. The Defendant, New Rise Brands Holdings, LLC's ("New Rise") members include foreign nationals. Therefore diversity jurisdiction does not exist. Nor are we willing to dismiss the action as against the New Rise to maintain diversity jurisdiction.

Accordingly, it is appropriate for the Court to issue a *sua sponte* order dismissing this action without prejudice for lack of subject-matter jurisdiction.

Thank you very much for your consideration in this case.

Respectfully,

WAYNE GREENWALD, P.C.

/s/ Wayne M. Greenwald Pres.  
By: Wayne M. Greenwald

The action  
is dismissed  
without prejudice  
for lack of  
subject matter  
jurisdiction  
SO ORDERED  
7-13-17

WMG/ms

cc: Jonathan Roffe, Esq. Via email and ECF Notice only